

REMARKS:

1) Referring to item 1) of the Office Action Summary, the previous communication filed by the applicant was the Response filed on January 14, 2008 with a Certificate of Mailing and received in the USPTO on January 17, 2008.

2) Referring to item 10) of the Office Action Summary, please indicate the acceptance of the Drawing Replacement Sheet filed on January 14, 2008.

3) The claims have been amended as follows.

Claims 11 to 17 and 21 to 31 have been canceled. Only claims 18 to 20 and 32 to 34 remain in this application.

Prior dependent claim 32 has been amended into independent form, incorporating some of the features from its prior parent claims 21, 28 and 29. Such combining of claim features does not introduce any new matter.

Claim 34 has been amended for proper conformance with its amended parent claim 32.

4) Referring to section 2 on page 4 of the Office Action, the indication of allowable subject matter in claims 18 to 20 and 32 to 34 is appreciated.

Claim 18 was previously and still is an independent claim. Because claim 18 is indicated as containing allowable subject matter, this independent claim should be allowable rather than

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"objected to as being dependent upon a rejected base claim". Claims 19 and 20 depend from independent claim 18, and should thus also be allowable. Claims 18 to 20 have been maintained without amendment, and should thus now be allowed.

Claim 32 has been amended into independent form, by incorporating some of the features of its prior parent claims 21, 28 and 29. This method claim does not rely on apparatus features from its prior parent claims for patentability. For example, apparatus claims 21, 28 and 29 (from which method claim 32 used to depend) were rejected over the prior art, while claim 32 was indicated as containing allowable subject matter. For this reason, claim 32 does not require all of the subject matter of prior claims 21, 28 and 29 to properly and patentably define the intended subject matter of this method invention. In view of the indicated allowable subject matter, and the independent form of currently amended claim 32, claims 32 to 34 should now be allowable.

- 5) Referring to the second paragraph on page 4 of the Office Action, here are applicant's Comments on the Examiner's Statement of Reasons for the Indication of Allowable Subject Matter. The Examiner's Statement applies to claim 18, but does not directly apply to claim 32, which does not recite the same features as discussed by the Examiner. Claim 32 is patentable because the prior art does not disclose and would not have suggested a method of calculating a tire contact length of a rotating tire, comprising a step of evaluating acceleration data to determine

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therefrom a first result dependent on a duration of an acceleration sensor passing through a tire contact length during one rotation of the tire and a second result indicative of a duration of the one rotation of the tire, wherein the evaluating comprises comparing the acceleration data to a threshold and integrating the acceleration data dependent on this comparing, and further comprising a step of forming a quotient of the first result relative to the second result to determine the tire contact length relative to a circumference of the tire and independent of a tire rotation speed of the rotation of the tire.

- 6) Referring to section 1 on pages 2 and 3 of the Office Action, the rejection of claims 11 to 17 and 21 to 31 as anticipated by US Patent Application Publication 2004/0130442 (Breed et al.) has been obviated by the cancellation of these claims, in order to expedite the prosecution. No comments are necessary regarding the Breed et al. reference in view of the cancellation of these claims.
- 7) The additional prior art made of record requires no particular comments, because it has not been applied against the claims.
- 8) As all remaining claims 18 to 20 and 32 to 34 have been indicated as containing allowable subject matter, the application should now be in allowable condition.

- 9) Favorable reconsideration and allowance of the application, including all present claims 18 to 20 and 32 to 34, are respectfully requested.

Respectfully submitted,

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Enclosures:  
Transmittal Cover Sheet  
Term Extension Request  
Form PTO-2038

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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (571) 273-8300 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Walter F. Fasse 10/23/08  
Name: Walter F. Fasse - Date: October 23, 2008

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